

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lu, et al.
Serial No.: 10/040,242
For: TOPICAL COMPOSITION HAVING UNDIFFERENTIATED PLANT SEED CELLS AND METHOD FOR USING SAME
Filed: November 9, 2001
Examiner: I. Ghali
Art Unit: 1615
Confirmation No.: 9256
Customer No.: 27,623

Attorney Docket No.: 680.0043USU

Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AMENDMENT TRANSMITTAL

We are enclosing an Amendment in response to the Notice of Non-Complaint Amendment, mailed on September 29, 2004, the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$_____ to extend the time for filing this response until _____.

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	29	Minus	29	0	x \$18.00	\$0
Independent Claims	6	Minus	6	0	x \$86.00	\$0
MULTIPLE DEPENDENT CLAIM FEE				x \$290.00 = \$		
TOTAL FEE FOR CLAIM CHANGES				\$0.00		
1/2 FILING FEE FOR SMALL ENTITY				\$N/A		

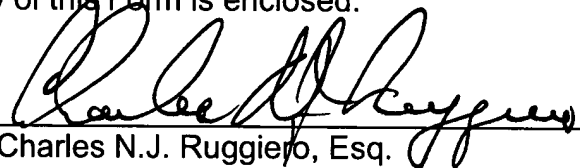
The total fee for this amendment, including claim changes and any extension of time is calculated to be \$0.00.

 A check in the amount of \$ 0.00 is attached.

X The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

November 24, 2004

Date



Charles N.J. Ruggiero, Esq.

Attorney for Applicant(s)

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CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON November 24, 2004.

Leslie Moscatello

NAME



SIGNATURE

11/24/04

DATE



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H

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: M. Lu
Serial No: 10/040,242
For: TOPICAL COMPOSITION HAVING UNDIFFERENTIATED PLANT
SEED CELLS AND METHOD FOR USING SAME

Filed: November 9, 2001

Examiner: I. Ghali

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Confirmation No.: 9256

Customer No: 27623

Attorney Docket No.: 680.0043USU

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed September 29, 2004, please amend the above-identified application according to the following:

The section entitled "Amendments to the Claims" begins at page 2.

The section entitled "Remarks" begins at page 8.